

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA

*Richmond Division*

UNITED STATES OF AMERICA	)	
	)	
v.	)	CRIMINAL NO. 3:19-CR-130-MHL
	)	
OKELLO T. CHATRIE,	)	
	)	
Defendant.	)	

**GOVERNMENT’S RESPONSE TO DEFENDANT’S  
NOTICE OF SATISFACTION OF REQUESTS IN GEOEFENCE  
DISCOVERY MOTION**

The United States of America, by its undersigned attorneys, hereby responds to the defendant’s Notice of Satisfaction, specifically the defendant’s requests for a June suppression hearing date and supplemental briefing prior to the suppression hearing date. ECF No. 99.

Pursuant to Eastern District of Virginia General Order 2020-12, Chief Judge Davis generally continued hearings through June 10, 2020. Because the United States’ expert witness is unavailable in June after June 10, 2020, we would request that the Court schedule the defendant’s suppression hearing for July 2020. The United States’ expert is available through July save for the dates of July 14, 2020 through July 17, 2020.

As to supplemental briefing, the United States does not object to supplemental briefing of the GeoFence warrant suppression issue as a general matter. However, the suppression hearing will feature dueling expert testimony and the parties have had the opportunity to engage Google’s amicus brief setting forth various facts related to the technology at issue. Moreover, defense counsel filed a consent motion for an extension of time to permit them to fully assess discovery prior to filing their motion to suppress the GeoFence warrant in this case. ECF No. 24.

Accordingly, any supplemental briefing seems more appropriate following the suppression hearing. Doing so in that order likely permits the Court to fully gauge what, if any, issues deserve additional consideration and to avoid disjointed briefing of the central issue in this case.

Should the Court permit the defendant to file a supplemental brief, the United States would simply request that the order allow for a response.

Respectfully submitted,

G. ZACHARY TERWILLIGER  
United States Attorney

By:

/s/

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## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 13th day of April, 2020, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send an electronic notification of such filing to the following:

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